

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

Lisa Proctor,  
Plaintiff

v.

Case No. 1:09-cv-127

Commissioner of Social Security,  
Defendants

**ORDER**

This matter is before the Court on the Magistrate Judge's Report and Recommendation filed January 25, 2013 (Doc. 22).

Proper notice has been given to the parties under 28 U.S.C. § 636(b)(1)(C), including notice that the parties would waive further appeal if they failed to file objections to the Report and Recommendation in a timely manner. See United States v. Walters, 638 F.2d 947 (6th Cir. 1981). As of the date of this Order, no objections to the Magistrate Judge's Report and Recommendation have been filed.

Having reviewed this matter de novo pursuant to 28 U.S.C. § 636, we find the Magistrate Judge's Report and Recommendation correct.

Accordingly, it is **ORDERED** that the Report and Recommendation of the Magistrate Judge is hereby **ADOPTED**. Plaintiff's 2010 motion seeking a fee award under the EAJA is **DENIED** as withdrawn and moot. Plaintiff's motion for approval of attorney's fees under 42 U.S.C. § 406(b) is **GRANTED**, with Plaintiff's counsel to be awarded the sum of \$7,536.50.

Date: February 19, 2013

s/Sandra S. Beckwith  
Sandra S. Beckwith, Senior Judge  
United States District Court